Exhibit 4: Determination of No Further Action - DTSC and RWQCB



Department of Toxic Substances Control

Arnold Schwarzeneg Governor

Maureen F. Gorsen, Director 8800 Cal Center Drive Sacramento, California 95826-3200

April 3, 2006

Mr. Michael Bloom BRAC Environmental Coordinator Department of the Navy Base Realignment and Closure Program Management Office West 1455 Frazee Road, Suite 900 San Diego, California 92108-4310

DETERMINATION OF NO FURTHER ACTION FOR THE BALLFIELDS PARCELS (PARCELS 108A, 110, 112, 114, 115A and 117) AT FORMER DEPARTMENT OF DEFENSE HOUSING FACILITY, FORMER HAMILTON ARMY AIRFIELD

Dear Mr. Bloom:

The Department of Toxic Substances Control (DTSC), and the San Francisco Bay Regional Water Quality Control Board (RWQCB) (collectively, the State), have completed review of the Navy's Draft Final Preliminary Assessment/Site Inspection Report, dated February 24, 2006, for the Ballfields parcels located at former Hamilton Army Airfield (see attached map).

The State has determined that No Further Action is necessary for the Ballfields parcels with regard to human health and the environment (see attachment), pursuant to Health and Safety Code Chapters 6.8 and 6.5, and that the parcels are suitable for unrestricted land use. This determination is based on the following:

 RWQCB's determination that the shallow groundwater is not suitable for drinking water as evaluated using the State Water Board's Resolution 88-63, and there is no potential for other beneficial uses of groundwater (e.g. agricultural supply waters), because of high total dissolved solids. (See RWQCB letter dated March 3, 2006), Exhibit 4: Determination of No Further Action - DTSC and RWQCB

Mr. Michael Bloom April 3, 2006

Page 2

2. DTSC's determination of no significant risks for the construction worker due to dermal contact with arsenic and vanadium in groundwater (see DTSC memorandum dated March 20, 2006), and

3. DTSC's determination that site concentrations of lead and DDT are above concentrations associated with no-effects to ecological receptors, but that remaining risks to ecological receptors were acceptable.

This approval is based on existing information available to the State at this time. Should new information concerning the environmental condition of the property become available in the future, the State reserves the right to address any significant environmental or human health issues.

Please be advised that should this property be considered for the proposed acquisition and/or construction of school properties utilizing state funding, a separate environmental review process in compliance with the California Education Code 17210 et Seq. will need to be conducted and approved by DTSC.

If you have any questions, please contact Ms. Theresa McGarry of my staff at (916) 255-3664.

Sincerely,

Chief

Anthony J. Landis

Northern California Operations

Office of Military Facilities

Attachments

cc: See next page.